

Understanding, Communicating, and Achieving Site Closure

This guide is primarily intended for personnel with line management responsibilities within the Office of Site Closure at DOE-HQ and at the specific Closure Projects.

Introduction

The U.S. Department of Energy Office of Site Closure (OSC) is responsible for the safe and efficient transition from operations to closure of the Departments 6 defense closure sites¹, 2 non-defense closure sites² and additional multi-program geographic sites. A common definition of site closure is established in this fact sheet to provide clear objectives for assessing the current and future state of all closure projects. This fact sheet is an overview of the complete set of site closure objectives, and a series of fact sheets will follow that focus on individual site closure objectives in more detail.

While OSC provides a clear definition of site closure, achieving site closure requires the closure projects to interact with multiple federal, state, and private entities to either approve that closure has been achieved (e.g., EPA agrees environmental remediation objectives have been met) or transfer responsibility for long-term management to another entity (e.g., pensions). In this fact sheet, those entities are not explicitly identified, rather they are indicated as “appropriate entity”. These entities are already defined in existing site-specific plans, or are yet to be defined.

Documentation that each site closure objectives has been met will be accomplished as part of individual site closure activities (e.g., environmental remediation documentation will substantiate that objectives for cleanup have been met). However, specific memoranda of agreement (MOA) will be prepared to support the transition of responsibilities from EM to other internal or external entities. The MOA will document the state of the work scope at the time of transfer and explicitly identify the future roles and responsibilities of both the transferring and accepting entities.

What is Site Closure?

Historically, “closure” is a term used to indicate achievement of environmental remediation objectives within the Environmental Management (EM) Program; however, environmental closure is

only one facet of site closure. Accordingly, OSC defines *site closure* as follows:

Site closure is the point at which the following objectives are met and verified for EM activities:

- *Environmental remediation is complete per regulatory requirements;*
- *Waste management activities have ceased and material dispositioned;*
- *Real property is removed, disposed, or transferred;*
- *Personal property is removed, disposed or transferred;*
- *Long-term stewardship plans are developed and approved;*
- *Contracts are terminated or transferred; and*
- *Workforce is terminated or transferred..*

When Are Site Closure Objectives Achieved?

Environmental remediation (i.e., cleanup) objectives for site closure will be achieved when:

- 1) all responses to threats to human health and the environment in all media (i.e., soil, surface water, ground water, buildings, sediment) meet the objectives defined in the appropriate regulatory decision document (e.g., Record of Decision, Statement of Basis, or permit) to the point they are: a) no longer present (e.g., clean closure); or b) in a state where they are contained requiring only long-term surveillance and maintenance (e.g., closure with contamination in place under a landfill cap); or
- 2) the selected response action is operating properly and successfully³ towards the defined regulatory cleanup goal (i.e., completion has been achieved, but not environmental closure).

Waste management and material disposition objectives for site closure will be achieved when all Special Nuclear Material, and other waste and materials generated, or managed, by EM are either:

- 1) dispositioned offsite at an appropriate repository; or

¹Rocky Flats Environmental Technology Site, Fernald Environmental Management Project, Miamisburg Environmental Management Project, Columbus Environmental Management Project - King Avenue & West Jefferson, Ashtabula Environmental Management Project.

²Grand Junction Office, Weldon Spring Site Remedial Action Project

³CERCLA 120(h)(3)(C) provides that property transfer will not be precluded as long as it has been demonstrated to the EPA and/or State that a response (e.g., groundwater pump and treat) is operating properly and successfully.

2) permanently stored and managed onsite in perpetuity with the appropriate long-term controls planned, documented, and in place.

Real property disposition objectives for site closure will be achieved when:

1) the buildings and infrastructure of no economic redevelopment value are dispositioned (e.g., demolished); and

2) the buildings, infrastructure, and land of economic redevelopment value are transferred from EM to, and accepted by, the subsequent landlord with the appropriate transfer documents (e.g., sale contract, Quitclaim Deed) containing the following information:

- future land use (e.g., industrial);
- physical and administrative controls required (e.g., fencing, easements for long-term stewardship activities, permits);
- metes and bounds⁴; and
- summary of environmental concerns as defined in CERCLA 120(h).

Leasing is not considered to be a final disposition and leasing contracts will need to be terminated (see contract disposition) prior to achieving site closure objectives for real property disposition.

Personal property disposition objectives for site closure will be achieved when:

1) materials, equipment, and records of no economic or government value are disposed of appropriately (i.e., as clean debris requiring recycling or disposal, or contaminated debris requiring disposal in a regulated landfill);

2) materials and equipment of economic value are transferred or sold to another appropriate entity for reuse; and

3) records of government value are compiled, stored, and transferred to an appropriate entity consistent with DOE requirements (e.g., sensitive/classified information) or regulatory requirements (e.g., CERCLA Administrative Record).

Long-term stewardship planning objectives for site closure will be achieved when:

1) the location and nature of all residual contamination is defined and documented along with the rationale for having left residuals in place and contingency plans to be implemented in the event of loss of protectiveness;

2) long-term surveillance and maintenance requirements (e.g., funding, physical and administrative controls, response

maintenance, monitoring) to ensure protection of human health and the environment (as defined and agreed to by regulatory agencies in the relevant decision document), is clearly documented; and

3) responsibility for funding, implementing, and ensuring performance of long-term surveillance and maintenance requirements is transferred and accepted by an appropriate entity (i.e., steward).

[Note: The specific information needed to accomplish 1 and 2 above will come directly from the environmental remediation close-out/completion documentation]

Contract disposition objectives for site closure will be achieved when:

1) contracts/liabilities for activities that cease upon closure (e.g., EM building leases, environmental remediation, site security) are terminated; and

2) contracts/liabilities for activities that continue after closure (e.g., environmental monitoring, lawsuits) are transferred to the appropriate entity for subsequent administration (e.g., stewardship program), or provisions are made for replacement with new contracts.

Workforce Transition objectives for site closure will be achieved when:

1) EM staff and contractors are terminated with severance packages, and benefits (e.g., pensions) transferred to an appropriate managing entity; or

2) EM staff and contractors are transferred to other programs (i.e., long-term stewardship) and associated benefits remain in tact.

For More Information:

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⁴ Metes refers to directions and distances, bounds refers to monuments, both physical and legal.